IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

FRIDAY, THE EIGHTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
**THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE**
**and**
**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT APPEAL NO : 450 of 2004**

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 6-1-2004 in WPMP No.29678 of 2003 and WVMP No.4110 of 2003 in W.P.No.22586 of 2003 on the file of the High Court.)

Between:
The Vice Chairman and Managing Director, A.P. Industrial Development Corporation, Parishrama Bhavan, Basheerbagh, Hyderabad.

**..... APPELLANT**

AND

R. Seshagiri Rao, S/o Late Trinadha Rao,
R/o Plot No. 140, LIG, BHEL, Ramachandrapuram, Hyderabad.

**.....RESPONDENT**

**For the Appellant:MR.C.V.MOHAN REDDY**

**For the Respondent No.: MR.KURITIBHASKARA RAO**

ORAL ORDER: (per the Hon'ble the Chief Justice)

Learned counsel for the appellant states that the appellant-Corporation has decided to withdraw the tender notification pursuant to which, the respondent-writ petitioner had given his offer, which is the subject matter of the writ petition, and that the appellant-Corporation has further decided to float fresh tenders.

The writ petition was filed by the respondent questioning the act of the appellant in not confirming the sale in his favour even though, according to him, the appellant had accepted his offer dated 27-8-2003.

The offer of the petitioner dated 27-8-2003 was accepted by the Board of Directors of the Corporation subject to the approval of the Andhra Pradesh State Financial Corporation and the sale is subject to the terms and conditions of sale under Section 29 of the State Financial Corporations Act. Before the sale could become final and approved by the State Financial Corporation, the appellant-Corporation has now taken a decision to withdraw the earlier tender notification and invite fresh tenders.

In view of the stand of the appellant-Corporation, we are of the view that there was hardly any ground for the learned single Judge to have granted the interim order as the writ petition of the respondent-writ petitioner and also the offer given by him were rendered infructuous in view of the decision taken by the Corporation to invite fresh tenders.

The appeal is accordingly allowed and the impugned order is set aside.

The writ petition filed by the respondent-writ petitioner shall stand dismissed as infructuous.

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DEVINDER GUPTA, CJ

18-6-2004

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G.ROHINI, J

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